

try, and must bear responsibility for his death. "Every day," the newspaper declares, "Ireland is being welded more surely and more irresistibly by the Premier and his armies into a nation that will not be conquered. Irish nationalism will be given a stimulus almost indelibly effective by the Lord Mayor's death."

"The murder of MacSwiney by the Government," says the Herald, organ of labor, "was accomplished after slow torture for seventy-four days."

The Telegraph defends the Government and pleads in behalf of the victims of the campaign of assassination in Ireland. "It maintains that if MacSwiney had been executed he would have taken up 'the work of conspiracy' where he laid it down." The responsibility which the Government elected to bear, the newspaper asserts, was that which in reality it was bound to assume.

"If justice had surrendered to the threat of violence," remarks the Express, "law would have been mocked and order undone."

## POPE SHOWS GRIEF FOR M'SWINEY

Remains Long Time in Silent Prayer—Mass Celebrated for Mayor's Soul.

ROME, Oct. 25.—Information relative to the death of Terence MacSwiney, Lord Mayor of Cork, was received at the Vatican from the Associated Press to-day, the news being communicated to Monsignor Cerretti, Papal Under-Secretary of State, who was deeply impressed by the tidings. When Pope Benedict was informed of the death of the Lord Mayor, he showed deep regret, and then knelt, remaining a long time in silent prayer.

The death of Lord Mayor MacSwiney caused consternation among the Irish people here, there being many of them in all the ecclesiastical bodies.

Mass for the repose of the soul of Mayor MacSwiney was celebrated in the church adjoining the Irish College in the presence of the Vice Rector, all the Irish students, several members of the Irish colony and sympathizers with the Irish cause. The Rev. Father Daniel O'Connell, the Irish patriot who bequeathed his heart to the church, was dragged in crops.

## PLANS MEMORIALS FOR M'SWINEY

Friends of Irish Freedom Secretary Urges Manifestations of Indignation and Sorrow.

Uniform "manifestations of indignation and sorrow" over what he characterizes as the "murder" of Lord Mayor MacSwiney and Michael Fitzgerald were urged to-day in an open letter by Edmund Lynch, National Secretary of the Friends of Irish Freedom, upon all state and local councils of the order, and Sunday, Oct. 31, was suggested as the day for the demonstration.

Funeral services in the Cathedral or principal church in each city are urged, with processions, banners, and carriages draped, poetry banners draped in mourning, no mottoes in the barge and no speeches to be delivered.

Two thousand sympathizers for the Irish cause stood silent for one minute as a reverence to the death of Lord Mayor MacSwiney at the New Star Casino, 107th Street and Lexington Avenue, last night at a mass meeting called by Friends of Irish Freedom to "protest against MacSwiney's murder."

Dr. Gertrude R. Kelly presided, and said that the local has been sounded for the death knell of the British Empire. "We are celebrating the death of the British Empire," she said, "a nation which has written itself down to the doom of Russia, Germany and Austria."

## MINOR DISORDERS IN IRISH CITIES

Burning of Effigies of MacSwiney in Belfast Starts Fight in Streets.

BELFAST, Oct. 25.—Further rioting occurred in this city last night. Large crowds burned effigies of Terence MacSwiney, the late Lord Mayor of Cork, in a street in the Shankside section of the city, and a nearby party, mistaking the effigies for those of Premier Lloyd George, started exchanges with men burning the figures.

A fight was soon in progress and, the police being powerless to quell the disorder, troops were summoned. Several shots were fired by the soldiers and order was restored. In the disorder in the afternoon John McLeod was shot and killed.

CORK, Oct. 25 (Associated Press).—Crowds along the Grand Parade, one of the principal thoroughfares of the city, were thrown into a panic to-night when several shots were fired from a military lorry and an accompanying armored car. So far as known, however, there were no casualties.

## FRENCH SHOW SYMPATHY.

Leading Newspapers of Paris Pay Tribute to MacSwiney.

PARIS, Oct. 25.—Although declaring France must not interfere in questions relative to the interior policy of England, newspapers of this city, questioning upon the death of Terence MacSwiney, Lord Mayor of Cork, pay tribute to his courage.

"One can only say down before the man who has died for his ideal," declares the Journal, and the Echo de Paris says: "The sacrifice made by MacSwiney will remain throughout the world as a heartening example of a suffering martyr who will regenerate the struggle between England and Ireland is guaranteed by the Premier Lloyd George is not responsible for the 'martyrdom of MacSwiney.'"

Services in Buenos Aires. BUENOS AIRES, Oct. 25.—Religious services in memory of Terence MacSwiney, the late Lord Mayor of Cork, who died in London to-day, were held in this city to-night. Friends of Ireland and sympathizers in the cause of the Irish joined in the ceremony.

## SHOWS HOW CITY EACH YEAR COULD SAVE \$9,100,000

Broker Would Cut Market Fund \$200,000 and Reduce Special Teachers' Staff.

Frank H. Tyler of the Budget Committee of the Brooklyn Board of Real Estate Brokers, read a statement at the budget hearing before the Board of Estimate to-day showing how, in his opinion, the city could save \$9,100,000 a year. He declared a small appropriation for the Department of Markets would meet all requirements and that at least \$200,000 a year could be saved. During the Mitchell Administration the Department of Markets was given a fair trial and found useless, he asserted and it was equally as useless now. Its work could be done by the Superintendent of Building and the Revenue Collection Bureau of the Finance Department, Mr. Tyler said.

Another reduction could be accomplished by sending 1,200 high-salaried school teachers back to their regular jobs of teaching, he declared. They are now doing "special work," he said. If they were compelled to teach, he asserted, at least \$5,000,000 a year would be saved.

Mr. Tyler recommended that court attendants be dropped and retired policemen put in their places. He explained that even by paying these policemen full pay the city would have \$1,000,000 a year.

Mayor Hylan called Mr. Tyler's attention to the inferior courts law, the passage of which followed an investigation several years ago. While the Mayor was a judge, he said, policemen had been employed in the courts. After the investigation they were removed.

Mr. Tyler also suggested that all examiners and investigators other than those in the employ of the Board of Estimate be eliminated. Half a million dollars would be saved by this reduction, he claimed. The Comptroller contended that he needed examiners in his department, which is a financial clearing house of all other city departments.

The Comptroller claimed he had trouble with examiners and made reference to Dock Department licenses which had not been filed with him as the law requires. Mayor Hylan directed Augustus Kelly, his Executive Secretary, to immediately call Dock Commissioner Hulbert's attention to the Comptroller's statement.

Other suggestions made by Mr. Tyler were:

"Get rid of six Tax Commissioners and six Assistant Tax Commissioners and save \$60,000."

"Stop paying judges for drawing jurors, which they never do, and save \$50,000."

"Stop the waste of money for policemen and probation officers, and for the Police Board. Let the judges and the court attendants do this work and save \$3,000,000."

"Get rid of the engineering staff of the Board of Public Works, and let that work be done originally as it is now done finally, by the Board of Estimate's engineering force, and thereby save \$2,000,000."

"Get rid of confidential inspectors, private secretaries, special messengers and save \$1,000,000."

## SAYS LANDLORDS PAD EXPENSES TO GET HIGHER RATES.

Board of Conciliation Chairman Tells of Reducing Coal Bills—4,000 Disputes Settled.

The Seventh District Municipal Court, with the aid of Judge John R. Davies and the Board of Conciliation, has settled successfully more than 4,000 tenants' disputes with landlords since the new rent legislation has been passed, according to figures given out to-day.

The Board of Conciliation is headed by Capt. Charles J. Goldsmith, formerly chairman of the Mayor's Committee on Rent Protesting, and holds its sessions in Judge Davies' library at the Court Building.

Since Oct. 1 there has been but one exception taken to the ruling of the Board, according to Capt. Goldsmith. "Now that the burden of proof for rent increases rests with the landlord," said Capt. Goldsmith to-day, "many landlords attempt to pad their expenses in order to justify an increase. One order recently showed a memorandum of \$5,700 for coal. I investigated and discovered that \$1,112 would be more correct. Another landlord said he had expended more than \$700 for Marston's fees in serving dispossessed tenants. He desired to pass this expense on to the tenant. Many landlords, despite the ruling that no rent can be increased on the basis of depreciation, have attempted to base their rent increases on a depreciation of the value of their property."

## LIQUOR THIEVES GET \$100,000 WORTH

CHICAGO, Oct. 25.—Liquor thieves equipped with motor trucks invaded the Loop early to-day, broke into a wholesale drug house within a block and a half of the Central Police Station, bound the watchman and carried away thirty barrels and 300 cases of whiskey valued at \$100,000.

The watchman said the robbers made three trips, being gone about fifteen minutes each time.

## Huge Balloons at Birmingham, Ala., Taking Part in Bennett Cup Race



Balloons at Birmingham Ala. The Aero Club placed the Belgian balloon Belgium, which landed at 9:50 A. M. at North Hero Island, Vermont, first in the race.

Army balloon No. 1, army entrant in the James Gordon Bennett race, landed Sunday at midnight at Charlotte, Mich., according to reports to the Aero Club of America to-day. The balloon claimed a distance of 622 miles.

## GIVES EVICTION RECORDS TO PROVE RENT LAWS LEGAL

(Continued)

State of New York upholding its own statutes; Assistant District Attorney Myers (intervening on behalf of District Attorney Swann) to resist an injunction against enforcing the criminal statute, making it a misdemeanor for a landlord to refuse to give telephone, elevator and janitor service; and W. D. Guthrie and Julius Henry Cohen (intervening as friends of the Court as counsel for the Tenants' Committee which framed the law).

Judge Mantion announced at the outset that he was a stockholder in a realty corporation as well as a rent payer. The attorneys agreed that this made no difference to them.

Lawyer Seidman in asking for the granting of the Federal injunction against the enforcement of the New York law, said: "In holding possession of his apartment Oct. 1 and thereafter the defendant, Pollack, was a trespasser. But the New York statute prevented the owners of the property from throwing out a trespasser."

"Any trespasser?" asked Judge Mack.

"No, Your Honor," replied Seidman, "only a landlord and tenant trespasser. The State had condemned the property by statute for the use of the defendant Pollack. The right of condemnation which a State can exercise does not extend to the condemnation of property for private use."

"The misdemeanor provision punishing the failure to furnish service of various sorts compels the landlord to give involuntary service to this wrongdoer who is in possession of the plaintiff's property."

"Moreover, we are prevented from carrying out a contract because we have executed a lease to another person for the occupancy of the apartment on and after Oct. 1."

"Did that contract include a provision for the delivery of the property to the second party?" asked Judge Mack.

"No, not specifically," said Seidman, "but it implied delivery."

Seidman then cited decisions of the Federal Court in the District of Columbia, which had ruled, he said, against similar statutes regarding the rights of tenants as against landlords.

"Why," asked Judge Mantion, "did you not bring a suit at common law for the ejectment of the defendant?"

"If we had done that," replied the lawyer, "we would have had no recourse for damages."

At the close of Seidman's argument, the Judges denied the motion of Assistant District Attorney Myers to have the criminal part of the statute exempted from the injunction. The defendants, asserted that the suit for an injunction was not the rightful remedy to be sought by the plaintiffs. Nevertheless, the plaintiffs would be held by the court, the plaintiffs would be held by the April laws on which the more recent statutes were based. Even though the present laws were held unconstitutional by the court, the plaintiffs would be held by the April laws, he asserted.

"Even though the court declare these laws unconstitutional it must direct the plaintiff to go elsewhere for his remedy," he said.

"How about that, Mr. Seidman?" Judge Mack asked the attorney for the plaintiffs. "Suppose these new laws had never been enacted. Could you come into this equity court?"

"I could," said Seidman, "any time the laws of the State caused delay and hardship."

"I do not agree with you," said

Judge Mack. "But let it pass."

"Why not go into a common law court and have done with it?" asked Judge Mack. Seidman repeated that such a course would rob him of an opportunity to seek damages.

"But what right have you?" asked Judge Mantion. "To come into an equity court to enjoin District Attorney Swann from enforcing the criminal aspect of this law? You say because he has threatened to enforce all these laws. But on this theory you would come into court on every State law which has a criminal clause in it and hold up all State laws until the courts have sifted them out."

Seidman said he would stand on his demand for a remedy for the hardship which would be imposed if District Attorney Swann insisted on multiplying complaints day by day against landlords for failing to furnish service.

Fodell resumed his argument by saying the new laws were based on the police powers of the State which were exercised because of the housing crisis as was recited in the text of the statutes.

"The laws do not impair but uphold the right of contract," he said. "A condition arose by which a tenant under duress was obliged to make inequitable contracts which could not stand in law. The tenants' ability to make an equitable contract had been impaired."

"The police powers of the State are not restricted to safeguarding the health, safety and morals of the community; they have been extended to protection of the public welfare. Mr. Justice Holmes laid down the principle: 'Police power may be put forth in aid of what is sanctioned or held by usage to be prevailing morality or by strong and preponderant opinion to be greatly and immediately necessary to the public welfare.'"

"Here supposed violation has become actual duress. There is a compulsion in fact where there is none in legal principle. We have laws forbidding the payment of wages in company with the payment of interest, compelling payment at stated intervals, prohibiting the assignment of unearned wages."

"This concern is still in the control of the Loft family as it has been for more than fifty years. Our efforts have been to produce more and better candy with the utmost cleanliness than it has been to having one eye on the stock market and one eye on the candy business. The stock market does not concern any of us who are engaged in the making of candy. Let us keep our both eyes concentrated on the CLEANLINESS, PURITY AND WHOLESOMENESS OF LOFT CANDY all the time. In conclusion, let me say again that you may notify the public by placing this article in a conspicuous place in our candy adv."

George W. Loft

## Our Big Daily Special

For To-Morrow, Wednesday, October 27th

CHOCOLATE COVERED NET CARAMELS—These are delectable blocks of caramel excellence, generously spangled with the tastiest chopped nuts and developed in coverings of our most refined French Chocolate. VERY SPECIAL FOR THE DAY at

29c

Added Wednesday

Attraction

CHOCOLATE COVERED NET CARAMELS—These are delectable blocks of caramel excellence, generously spangled with the tastiest chopped nuts and developed in coverings of our most refined French Chocolate. VERY SPECIAL FOR THE DAY at

64c

We Are Offering Tuesday

DOUBLE VANILLA MARSHMALLOWS—These are big, creamy, fluffy light-as-a-snowflake Marshmallows, Vanilla flavored, and snowed with Cocoa. These delectable sugars, these delicious lozenges, small size, 1 lb. box, 29c, 5 lb. box, 1.49c.

64c

For exact location see telephone directory.

NOVELTIES

The specified weight in pounds.

## PUNCH IN THE EYE ISSUE IN RENT CASE

Landlord Says It Proves Tenant Objectionable, but Point Is Not Yet Settled.

Whether a tenant shall be adjudged "objectionable" when he punches his landlord in the eye is a question that arose to-day in the Seventh District Municipal Court before Justice Davies.

Last summer August Joachim, owner of No. 215 Amsterdam Avenue, came to blows with Peter Quigley, a tenant. Joachim says he has an assault complaint pending against Quigley. Meanwhile he asked Justice Davies to dispossess the Quigleys as "objectionable."

Former Judge John F. Cowan, counsel for Quigley, contended the proceeding was faulty because the required thirty-day notice had not been given. The point was good and the case dismissed. Joachim, if he wants to go ahead, will have to start again with a new complaint.

## "CRAZY" MIKE TO JAIL FOR LIFE

Sentenced To-Day for the Killing of the Fetter Sisters.

Michael Mazowiecki was found guilty of murder in the first degree by a jury before Justice Bergen in New Brunswick, N. J., for killing of Miss Sadie Fetter at Stelton, N. J.

The defendant, who is known to residents of Stelton as "Crazy Mike," fired a rifle shot which killed both Sadie Fetter and her sister Susan. They were passengers in an automobile which stopped at the home of Mr. and Mrs. William Sims at Stelton. He was tried on indictment for one killing.

He was sentenced to the Trenton State prison for life.

## SMITH AND Hylan TAKE HAND IN THE BUILDING INQUIRY

Governor Substitutes Attorney General Newton for Swann—Hirshfield to Aid.

Gov. Smith and Mayor Hylan to-day took a hand in the investigation of the building scandal, the Governor stating he would probably substitute Attorney General Charles D. Newton for District Attorney Swann in the proceedings of the Extraordinary Grand Jury; and the Mayor requesting Commissioner of Accounts Hirshfield to examine all building contracts with the city, and to confer with Corporation Counsel O'Brien on a new form of contract.

The Governor was in conference with the Attorney General and Attorney Samuel Untermyer for nearly an hour at his headquarters at the Hotel Biltmore.

"Practically yes," said Gov. Smith when asked if he had decided upon the substitution of counsel.

"Have you decided to grant an extension of the powers of the Extraordinary Grand Jury to cover the investigation into the building situation?" he was asked.

"That is still in the air," he answered. "There seems to be some doubt as to whether it is necessary. This Grand Jury took up the fraction and milk matters without being granted further powers, but Mr. Untermyer is not sure if that can be done in this case. I expect to meet him later in the day when the question will probably be decided."

"On what phases is the enlargement of powers sought?"

"I am thinking that matter over."

Gov. Smith said that he didn't know whether the substitution of Newton was agreeable to Swann. He said that he would like to know but didn't think that it would make any difference in his decision.

The public account jobs will be taken up first. The last report of the Department of Education, made in July, shows that there was available for construction \$17,926,000 and that of this \$11,944,812 worth of work was under contract. In addition there were \$285,000 worth of plans and specifications actually completed and \$4,328,000 worth of work under preparation on the draughting tables.

Following is a full list of the school contracts now under way in the various boroughs, all of which will be investigated by Commissioner Hirshfield:

MANHATTAN.

THE BRONX.

BROOKLYN.

QUEENS.

RICHMOND.

## "RED" HOFFMAN GIVES UP.

Grand Jury in Nassau Relieved to Have His Confession.

The Grand Jury in Nassau County was expected to close to-day its investigation of the evidence collected by Justice Townsend and in John Doe and

coincides, and by District Attorney Weeks and the Nassau County Association regarding dealings between politicians and public officials on the one hand and automobiles and automobiles on the other.

"Red" Hoffman, under indictment for selling stolen automobiles, who has been a fugitive from justice for many months, gave himself up to-day. He was immediately taken before the Grand Jury and it was assumed he had followed the example of his reputed associate, Matthew McNally, who in giving up in singing, in getting all he knows.

## DENIES PERSHING IS TO WED AND LIVE IN ROSLYN

Will Visit Friends on Long Island and Get Rest, Intimate Friend Says.

(Special to The Evening World.)

WASHINGTON, Oct. 26.—Close personal friends of Gen. John J. Pershing say there is no foundation for the report that he is to marry and establish a home at Roslyn, L. I. This report, they say, originated from the fact that Gen. Pershing is to visit friends on Long Island for a couple of months and rest, said one of his intimate friends to-day, the rumor that he is to wed is merely a revival of an old report that was started soon after he came back from abroad.

There is no foundation whatever for this. Some months ago it was stated that Gen. Pershing was to marry Mrs. Carl Boyd of Tennessee, widow of Col. Boyd, who was Gen. Pershing's aide in France. This report gained credence at the time the General leased a residence in Chevy Chase, Washington's exclusive residential section. Later it was denied by the General himself, who said that, contrary to his staff and other members of his staff had paid Mrs. Boyd on the occasion of the Pershing homecoming had been misconstrued.

## "Pep-up" your appetite with Ancres Cheese, and make it a "sn-appetite". Try it.

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Made by Sharpless, Phila.

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## To-day and Wednesday—Unusual!

## Women's Tricotine Dresses

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Sizes 34 to 44.

10 different models, featuring the newest trimmings of beads, silver, eyelet and silk embroidery. Excellent quality—excellently made. A wide range of styles from the strictly tailored frock to the more elaborate dress.

A—Develops straight lines into a very long overblouse. A leather belt, silk braid, and a vestee in contrasting color are delightful details completing the costume.

B—Rows of buttons and a flaring overskirt with eyelet embroidery make this garment particularly smart.

C—Ties its V neck with cord and tassels and embroiders waist, cuffs and overskirt in a graceful design.

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